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09/934,139	08/21/2001	Leslie G. Polgar	83233THC	7707

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EXAMINER
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NGUYEN, KIMNHUNG T

ART UNIT	PAPER NUMBER
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2677

DATE MAILED: 03/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/934,139

Applicant(s)

POLGAR ET AL.

Examiner

Kimnhung Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Amendment filed on 1/10/06.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-10, 13-22, 24, 25 and 27-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-10, 13-22, 24, 25 and 27-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This Application has been examined. The claims 2-10, 13-22, 24-25, and 27-46 are pending. The examination results are as following.

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 2-4 6,13,16, 28-34, and 42-46 are rejected under 35 U.S.C. 102(b) as being anticipated by Wiemer et al. (US 5,872,557).

Regarding claims 42, 45, Wiemer et al. discloses in figs. 7, 12 and 15, an electronic communications and user interface kit (fig. 7) comprising: a portable container (casing102); a wired communications network (see plug connection at the cover and cables not show, see col. 5, lines 16-30) integrated into said container; a display device (124, fig. 7) disposed in said container, said display device having a display (126), a display interface (fig. 10), and a transceiver (160, see col. 5, lines 48-50), said display and display interface being operatively connected, said display interface being switchable between a first state (switch112), wherein the display interface is operatively connected to the communications network, and a second state (switch114), wherein the display interface is operatively connected to the transceiver (160); a plurality of separate electronic devices (loudspeaker 134, radiotelephony 136, computer 122 fig. 7 and 132, 142,134,146, fig. 10), and disposed in said container, the electronic devices each being capable of transferring display information to the display interface (fig. 10) via one of said

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communications network and the transceiver, said electronic devices each being independent and individually removable from said container without affecting other said electronics devices (see col. 5, lines 37-40).

Regarding claims 43, 46, Wiemer et al. discloses further in figs. 7 and 10, wherein the display device includes a controller automatically switching (212, 214) the display interface between the first and second states.

Regarding claim 44, Wiemer et al. discloses further wherein the container has a plurality of pocket, each of pockets securing a respective one of the electronic devices (see radio telephony 136 having a pocket to cover the radiotelephony).

Regarding claim 2, Wiemer et al. discloses further comprising a portable power source (129, fig 10), and a power distribution network (supply control 150, fig. 10) integrated into the container, the power distribution network distributing power to one or more of the electronic devices (132, 142, 134, fig. 10) from the portable power source (129).

Regarding claim 3, Wiemer et al. discloses further comprising a touch screen (126, fig. 7)

Regarding claim 4, Wiemer et al. discloses further comprising a keyboard (130) to one of the communication network and transceiver (see fig. 7, 10, see col. 5, lines 47-50).

Regarding claim 6, Wiemer et al. discloses further wherein the electronic devices include one or more devices selected from the group of a cell phone (see radio telephony 136, fig. 7),

Regarding claim 13, Wiemer et al. discloses further, wherein the keyboard (keypad 125) is connectable via the transceiver (see col. 5, lines 47-50).

Regarding claim 16, Wiemer et al. discloses further wherein the interconnection system a personal area network (see fig. 10).

Regarding claim 28, Wiemer et al. discloses further comprising a speaker (loudspeaker 134, fig. 16) and microphone (154, fig. 16).

Regarding claim 29, Wiemer et al. discloses the speaker (134) and microphone (154) is a head set (fig. 16).

Regarding claims 30-34, Wiemer et al. discloses the speaker and microphone are connectable to one or more of the electronic devices independent of the wired communications network and the transceiver (see col. 5, lines 6-12, and col. 5, lines 48-50, fig. 10).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 8-10, 25 rejected under 35 U.S.C. 103(a) as being unpatentable over Wiemer et al. (US 5,872,557) in view of Kono (US. 5,914,706).

Wiemer et al. does not disclose the user interface kit as claimed, further comprising a battery charger connected to the battery and a connector for connecting the charger to an external power source, or connector for connecting the battery to a charger external to the container, and the display power source is power source selected from battery group, and the power source is a fuel cell.

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Kono discloses a battery charger connected to the battery and a connector for connecting the charger to an external power source (see battery via DC/AC adapter or external AC (see col. 10, lines 7-10), and the display power source (25) is power source selected from battery group (see col. 10, lines 8-11) and the power source could be a fuel cell.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the battery charger connected to the battery and a connector for connecting the charger to an external power source, and the display power source is power source selected from battery group as taught by Kono into the system of Wiemer et al. because this would provide to the user a power connection to DC power source as a standard or rechargeable battery or automobile battery via a DC/DC adaptor or to an external AC source via an AC adapter (see col. 10, lines 8-11).

5. Claims 5, 17-22 and 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiemer et al. (US 5,872,557) and Kono (US 5,914,706) in view of Munyan (US 5,761,485).

Regarding claims 17-22, Wiemer et al. and Kono disclose an electronic communications and user interface kit as discussed above. However, Wiemer et al. and Kono do not disclose a communication connection for communicating with an external device, wherein the external device is another electronic communications, and external device is a computer network; and the display includes a display power source selected from the group of battery. Munyan discloses in figs. 1 and 2, an electronic book system (20) having a communication connection for communicating (see signal from electronic book to 6, fig. 1) with an external device (12, 14, 16),

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wherein the external device is another electronic communications (10), and external device is a computer network (12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the using a electronic book system having a communication connection for communicating with an external device, wherein the external device is another electronic communications, and external device is a computer network into the system of Wiemer et al. and Kono because this would establish communications with the on-line bookstore, for selections stored in the bookstore, or selections stored in the Personal Electronic Book's updateable memory storage device.

Regarding claim 5, Wiemer et al. and Kono do not disclose the display is an OLED display. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the display is an OLED display because Munyan does teach the display comprising (RGB, see col. 11, lines 50-53).

Regarding claim 37-39, Wiemer et al. and Kono do not disclose the container is a notebook with edge enclosures, has covers and a spine of the notebook.

Munyan discloses in fig. 1-2, a notebook (20) with edge enclosures, has covers and a spine of the notebook.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the using a notebook (20) with edge enclosures, has covers and a spine of the notebook as taught by Munyan into the system of Kono because this would provide to the user to read information each page more convenient.

6. Claims 24, 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiemer et al. (US 5,872,557) and Kono (US 5,914,706) in view of Chang (US 2002/0101405).

Wiemer et al. and Kono disclose the kit includes a power source from the portable power source (as discussed above). However, Wiemer and Kono do not disclose the key board includes a keyboard power source.

Chang discloses in figs. 1-3, a foldable input device (keyboard) having power source (see housing s 11, 12 installed a battery, see p. 2, see 0018, and 0020).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the using of keyboard includes power source as taught by Chang to the system of Wiemer et al. and Kono having the electronic communications and user interface kit because this would reduce the power consumption of the personal digital assistant, and moreover, it can be charged.

7. Claims 40-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiemer et al. (US 5,872,557) and Kono (US 5,914,706) and Munyan (US 5,761,485) as applied to claim 37 above, and further in view of Albert et al. (US 6,118,426).

Wiemer et al., Kono and Munyan do not disclose the enclosure is part of an article of clothing, and the clothing is a vest.

Albert et al. discloses in fig. 9, the enclosure (because display maybe pocketbooks, see col. 1, lines 50-52, col. 19, lines 5-13) is part of an article of clothing (because display maybe pocketbooks, see col. 1, lines 50-52, col. 19, lines 5-13). It would have been obvious to one of



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ordinary skill in the art at the time the invention was made to implement the using of the enclosure is part of an article of clothing, and clothing is a vet with pockets as taught by Albert et al. into the system of Wiemer et al., Kono and Munyan because this would provide the data device communicates information to the display which then display the information for the wearable.

8. Claims 14-15 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiemer et al. (US 5,872,557) and Kono (US 5,914,706) in view of Borgstrom et al. (US 6,593,908).

Regarding claims 14-15, Wiemer et al. and Kono do not disclose the wireless communication utilizes a wireless standard selected from the group of Bluetooth. Borgstrom et al. discloses in fig. 1, a communication system device having wireless modem of Bluetooth (see wireless radio link supported by Ericson's Bluetooth, see col. 4, lines 48-57 and col. 6, lines 65-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the using of communication device is wireless of Bluetooth modem as taught by Borgstrom et al. into the electronic communications and user interface kit of Wiemer et al. and Kono because this would provide to the user can get information via an appropriate link, such as a cellular air interface, to a base station or other network.

Regarding claim 27, Wiemer et al. and Kono do not disclose the display is between 5x8cm and 12x20cm and has a resolution of between 40 and 100 display elements per cm. It would have been obvious for Wiemer et al. and Kono's system to have the display is between

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5x8cm and 12x20cm and has a resolution of between 40 and 100 display elements per cm as claimed since such a modification would have involved a mere change in the range of the system. A change in range is generally recognized as being within the level of ordinary skill in the art, absent unexpected results.

See In re Rose, 105 USPQ 237 (CCPA 1995)  
and In re Reven, 156 USPQ 679 (CCPA 1968).

### ***Response To Arguments***

9. Applicant's arguments with respect to claims 2-10, 13-22, 24-25, and 27-46 have been considered but are moot in view of the new ground(s) of rejection.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

*Correspondence*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number is (571) 272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on (571) 272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimnhung Nguyen  
March 8, 2006



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